

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

NOTICE OF MOTION
07 Cr 1155 (RPP)

JAIME MENESES-MENA & ALBERTO ORTIZ,

Defendants.
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PLEASE TAKE NOTICE, that upon the annexed affidavits of JOYCE C.

LONDON, Esq. and defendant ALBERTO ORTIZ, the accompanying Memorandum of Law, the Indictment and all prior proceedings and pleadings had herein, the defendant, Alberto Ortiz, by his attorney, JOYCE C. LONDON, will move this United States District Court for the Southern District of New York before the Honorable Robert P. Patterson on September 22, 2008 at 4:00 p.m. at the United States District Courthouse, Southern District of New York, 500 Pearl Street, New York , New York 10007 for the following relief:

1. An order pursuant to Rule 12 (b)(3)© of the Federal Rules of Criminal Procedure suppressing post-arrest statements made by defendant Alberto Ortiz to law enforcement agents on the grounds that he was not advised of his *Miranda* rights;
2. An order pursuant to Rule 16(a)(1)(D) of the Federal Rules of Criminal Procedure directing the government to disclose any and all prior immoral or illegal acts and/or criminal convictions of the defendant which the government would seek to introduce against the defendant at least thirty days prior to trial so that the defendant may move to preclude the introduction of such evidence in accordance with Rules 403 and 404(b) of the Federal Rules of Evidence;
3. An order directing the government to disclose all *Brady* and *Giglio* material at least sixty days prior to trial;

4. An order permitting defendant Alberto Ortiz to join in motions submitted by his co-defendant to the extent that they are not inconsistent with the motions submitted herein;
5. An order permitting defendant Alberto Ortiz to make such other and further motions as may be appropriate and necessary; and
- 6 For such other and further relief which this Court may deem just and proper.

Dated: New York, New York.
September 3, 2008

Yours etc.,



JOYCE C. LONDON
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To: Clerk of the Court (By ECF)
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Honorable Robert P. Patterson
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

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